



Docket No.: 219834US2S

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

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RE: Application Serial No.: 10/076,644

Applicants: Nozomu HARADA

Filing Date: February 19, 2002

For: IMAGING APPARATUS FOR PROVIDING IMAGE  
IN A RESOLUTION HIGHER THAN IS POSSIBLE  
WITH A RESOLUTION PROVIDED NUMBERS OF  
PHYSICAL PIXELS, AND DISPLAY APPARATUS  
FOR DISPLAYING IMAGE IN A RESOLUTION  
SAME

Group Art Unit: 2615

Examiner: Ye, Lin

SIR:

Attached hereto for filing are the following papers:

**PROVISIONAL ELECTION**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Eckhard H. Kuesters

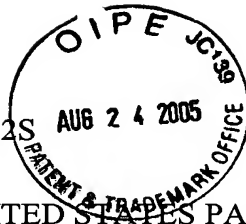
Registration No. 28,870

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DOCKET NO: 219834US2S



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
NOZOMU HARADA : EXAMINER: YE, LIN  
SERIAL NO: 10/076,644 :  
FILED: FEBRUARY 19, 2002 : GROUP ART UNIT: 2615  
FOR: IMAGING APPARATUS FOR :  
PROVIDING IMAGE IN A RESOLUTION  
HIGHER THAN IS POSSIBLE WITH A...

PROVISIONAL ELECTION

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the election requirement dated August 1, 2005, Applicant provisionally elect with traverse Group I, Claims 1-6 drawn to an image apparatus comprising an imaging device having a plurality of light-sensitive portions, classified in class 348, subclass 219.1, for further examination on the merits. Applicant reserves the right to file one or more divisional applications directed to the non-elected invention.

Furthermore, while the Election Requirement asserts that the application contains claims to patentably distinct inventions, MPEP § 803 states the following:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

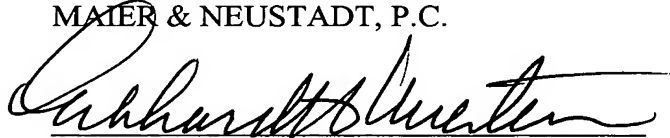
Although the outstanding Official Action identifies different search classifications, it is believed that the claims of the present application would have to be searched in a handful of sub-classes. Furthermore, since electronic searching is commonly performed, a search may

be made of a large number of, or theoretically all, subclasses without substantial additional effort. Accordingly, Applicant respectfully traverse the Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner, whereas it would be a serious burden on Applicant to prosecute and maintain separate applications.

Therefore, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 1-17 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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Attorney of Record  
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